

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE COUNCIL ROCK SCHOOL :  
DISTRICT : CIVIL ACTION  
v. :  
M.W., by and through his :  
parents, Marc W. and :  
Barbie W. : NO. 11-3464

ORDER

**FILED**

JUL 26 2012

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

AND NOW, this 24th day of July, 2012, upon consideration of the Plaintiff's Motion for Judgment on the Administrative Record (Docket No. 9), the Defendant's Motion for Judgment on the Administrative Record (Docket No. 10), the Plaintiff's Reply to Defendant's Motion for Judgment on the Administrative Record, Response to Defendant's Counterclaim, and Motion to Strike Request for Attorneys Fees (Docket No. 12), the administrative record in this case, and following oral argument held on January 26, 2012, IT IS HEREBY ORDERED, for the reasons stated in a memorandum of law bearing today's date that:

1. The parties' cross motions for Judgment on the Administrative Record are both GRANTED in part and DENIED in part. The Court concludes that District did not offer M.W. a FAPE for the 2009/10 and 2010/11 school years; that the Quaker School at Horsham is an appropriate placement for M.W., and that M.W. is entitled to a tuition reimbursement of fifty percent of

the tuition for the 2009/10 year and full tuition for the 2010/11 year.

2. The defendant's request for attorney fees and the plaintiff's motion to strike that request are DENIED without prejudice.

BY THE COURT:

  
MARY A. McLAUGHLIN, J.